

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4325
ANSWERED ON:19.08.2010
NOTARY PUBLIC
Karunakaran Shri P.

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the government has any check-in mechanism over the conduct of Notaries or to control over the functioning of the Notaries appointed by the Government:
- (b) if so, the details thereof, and
- (c) the steps taken by Government to avoid discrepancy, misconduct or lapses on the part of notaries?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

- (a) & (b) Yes, Madam. Rule 11(5) of the Notaries Rules, 1956 provides that every notary shall permit the District Judge or such officer as the appropriate Government from time to time appoint in this behalf to inspect his register at such times, not often than twice a year, as the District Judge or officer may fix. District Judge or officer appointed by the State Government will have power to lodge a report to the appropriate Government for taking action against a notary.
- (c) On receipt of a complaint, an inquiry into the allegations against a Notary for his professional or other misconduct is initiated under Rule 13 of the Notaries Rules, 1956 and following action can be taken against a Notary by an appropriate Government:-
- (i) Cancelling the certificate of practice and perpetually debaring the notary from practice; or
 - (ii) suspending him from practice for a specified period; or
 - (iii) letting him off with a warning according to the nature and gravity of the misconduct of the notary proved.